

NORTHERN TERRITORY OF AUSTRALIA  
WASTE MANAGEMENT AND POLLUTION  
CONTROL (ADMINISTRATION) REGULATIONS

TABLE OF PROVISIONS

Regulation

1. Citation
2. Definitions
3. Period in which application to renew licence to be made
4. Application fee for registration as qualified environmental auditor
5. Exemption from application fee
6. Issuing of infringement notices
7. Particulars to be shown on infringement notice
8. Payment before expiry date of infringement notice
9. General

SCHEDULE 1

NORTHERN TERRITORY OF AUSTRALIA

---

Regulations 1998, No. 65\*

---

Regulations under the *Waste Management  
and Pollution Control Act*

I, NEIL RAYMOND CONN, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Waste Management and Pollution Control Act*.

Dated 17 December 1998.

N R CONN  
Administrator

---

WASTE MANAGEMENT AND POLLUTION  
CONTROL (ADMINISTRATION) REGULATIONS

1. CITATION

These Regulations may be cited as the Waste Management and Pollution Control (Administration) Regulations.

2. DEFINITIONS

In these Regulations, unless the contrary intention appears -

"infringement notice" means an infringement notice issued in pursuance of these Regulations;

"offence" means an offence against a provision specified in Schedule 1;

"offender" means a person who an authorised officer reasonably believes has committed an offence.

---

\* Notified in the *Northern Territory Government Gazette* on 13 January 1999.

*Waste Management and Pollution Control  
(Administration) Regulations*

3. PERIOD IN WHICH APPLICATION TO RENEW LICENCE TO BE MADE

For the purposes of section 40(2)(a) of the Act, the prescribed period is not earlier than 90 days and not later than 30 days before the licence expires.

4. APPLICATION FEE FOR REGISTRATION AS QUALIFIED ENVIRONMENTAL AUDITOR

For the purposes of section 68(2) of the Act, the fee to apply to be registered as a person qualified to perform environmental audits for the purposes of an environmental audit program is \$1300.

5. EXEMPTION FROM APPLICATION FEE

The Chief Executive Officer may exempt from the requirement to pay a fee under section 68(2) of the Act a person who -

- (a) is accredited by a body or organisation approved by the Chief Executive Officer under section 69 of the Act; or
- (b) is a person, or is a member of a class of persons, who or which the Chief Executive Officer has approved under section 69(2) of the Act.

6. ISSUING OF INFRINGEMENT NOTICES

If an authorised officer has reason to believe that an offence has been committed, the officer may serve an infringement notice on the offender.

7. PARTICULARS TO BE SHOWN ON INFRINGEMENT NOTICE

An infringement notice is to have clearly shown on it -

- (a) the name of the offender, if known;
- (b) the date, time and place of the offence;
- (c) the nature of the offence and the penalty payable in accordance with section 8 of the *Environmental Offences and Penalties Act*;
- (d) the place or places at which the penalty may be paid;

*Waste Management and Pollution Control  
(Administration) Regulations*

- (e) the date of the infringement notice and a statement that the penalty may be paid within 28 days after that date;
- (f) a statement to the effect that, if the appropriate amount specified in the infringement notice as the penalty for the offence is tendered at a place referred to in the notice within the time specified in the notice, no further action will be taken; and
- (g) any other approved particulars.

8. PAYMENT BEFORE EXPIRY DATE OF INFRINGEMENT NOTICE

(1) If the total amount of the penalty specified in an infringement notice is paid in accordance with the notice, the offender is to be taken to have expiated the offence by paying the penalty and no further proceedings are to be taken in respect of the offence.

(2) If the amount of a penalty specified in an infringement notice is paid by cheque, the amount is not to be taken to have been paid unless the cheque is cleared on presentation.

9. GENERAL

Nothing in these Regulations -

- (a) prevents more than one infringement notice being served in relation to the same offence but it is sufficient for the application of regulation 8 to a person on whom more than one notice has been served for the person to pay the amount of the penalty in accordance with any one of the notices;
- (b) prejudices or affects (except as provided by regulation 8) proceedings being instituted or prosecuted, or limits the penalty that may be imposed by a court, in relation to an offence; or
- (c) is to be construed as requiring an infringement notice to be served or as affecting the liability of a person to be prosecuted in a court in relation to an offence in respect of which an infringement notice has not been served.